

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ELMER PHIFER,

Plaintiff,

Case No. 1:16-cv-279

v.

HON. JANET T. NEFF

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER APPROVING REPORT AND RECOMMENDATION**

This is a civil action filed pursuant to 42 U.S.C. § 405(g). Defendant filed a motion to dismiss. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on July 26, 2016, recommending that this Court grant Defendant's motion and dismiss this action. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (Dkt 13) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion to Dismiss (Dkt 9) is GRANTED.

**IT IS FURTHER ORDERED** that this Court certifies that an appeal of this decision would not be taken in good faith.

A Judgment will be entered consistent with this Order.

Dated: August 16, 2016

/s/Janet T. Neff  
JANET T. NEFF  
United States District Judge